

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-45 are presently active; Claims 1, 9, 25, and 30 having been amended by way of the present amendment.

In the outstanding final Office Action, Claims 1- 6 and 8-45 were rejected under 35 U.S.C. § 102(e) as being anticipated by Chiarabini et al (U.S. Pat. No. 5,963,216). Claim 7 was objected to for being dependent from a rejected base claim but would be allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims.

Firstly, Applicant's representative acknowledges with appreciation the indication of allowable subject matter in Claim 7.

Secondly, Applicant's representative acknowledges with appreciation the courtesy of Examiner Brinich to indicate in the Advisory Action how the former language could and could not be interpreted to read on Chiarabini et al, and the courtesy of Examiner Brinich to clarify his comments in the Advisory Action by phone with Applicant's representative on April 18, 2005. Accordingly, to expedite prosecution of the present application, the independent claims have been amended to clarify in Claim 1, for instance, that a printing information dialogue box is configured to display, upon a confirmation of the print job and prior to *activation* of the print job, a synopsis of the print settings for the print job including at least an indication of a paper selection. Such a clarification eliminates the interpretation of the claims asserted in the Office Action that would read on Chiarabini et al.

Such a clarification is at least supported by Applicant's Figure 1 which shows at step 110 a decision made prior to sending the print job to the printer, in step 114. The specification describes on page 4, lines 5-9, that at step 110 the user checks to see that the print setting are correct for the *impending* print job, and states that, if correct, the user selects the "Continue"

button 300 and flow proceeds to step 114 and the print job is issued to the printer using the current print settings. Thus, the present clarifications to the amended claims are supported and do not represent new matter.

Lastly, the final Office Action asserts that Chiarabini et al disclose features in the error display of Figure 8 or the preview display of Figure 9 or Figure 13 relevant to the former claims.¹ Of these figures, only Figure 9 shows an indication of a paper selection, as defined in the independent claims.

Moreover, Figure 8 in Chiarabini et al is a part of a print *setup procedure*. For instance, Chiarabini et al disclose that:

FIG. 7 shows a scaling options dialog box 220, originated by printer driver 203 and displayed on display 206, *when called up by a user*. Using scaling options dialog box 220, a user can select a scaling method from settings box 221. The user may scale to a standard page size, scale to a custom paper size or scale with a designating scaling factor. In the preferred embodiment, the standard page sizes are as shown in box 211. When electing to scale to a custom paper size, the user can specify a length of the print media, a height of the print media and indicate which units (English or metric) are being used. Alternately, the user can chose a scale factor from 25% to 3600%.

In one embodiment, the screen display of FIG. 7 is eliminated and its function is incorporated into the screen displays of FIG. 9 and FIG. 10.

Before accepting new scaling parameters, *when the user has clicked on the "OK" button at the bottom of scaling options dialog box 220*, and if the user has selected "Fit to custom size" in box 221, printer driver 203 will check the source paper size and the destination paper sizes. If the scaling factors in the two dimensions are different more than 10%, printer driver 203 will warn the user by displaying warning dialog box 230 shown in FIG. 8.

FIG. 8 shows warning dialog box 230 containing the following text: "The Scaling 'From' and 'To' paper sizes do not have the same proportions. Automatically adjust 'From' proportions?" [emphasis added]

Thus, the embodiment shown in Figure 8 of Chiarabini et al is analogous to the claimed print dialogue box (i.e., displayed while the printing parameters are being selected) and is not analogous to the claimed printing information dialogue box.

Regarding Figure 9, Chiarabini et al disclose with regard to Figure 9 that:

In the preferred embodiment, when the print preview is enabled, a **wireframe version** of the job **that is being printed** is gradually drawn in the preview window of display 206. The user can wait to see the preview of each page and then validate the output to continue printing on printer 205. Alternatively, the user can skip the preview process for the current page being previewed and the rest of the pages for the job and begin printing right away on printer 205. Alternatively, the user can cancel the printing job at any time.² [emphasis added]

Thus, as emphasized above, the features in Figure 9 of Chiarabini et al relate to features displayed **after activation** of the print job (i.e., displayed while the job is being printed). Indeed, the fact that the print preview is displayed means that the print job has been activated, and as emphasized above has generated a wireframe version. While the print preview feature in Chiarabini et al may save the user paper, it still does not address the problem that an incorrect print job has been issued in the first place and was not detected until display of the wireframe version.

Regarding Figure 13, Chiarabini et al later disclose that:

FIGS. 11 through 15 illustrate the user interface window presented by printer driver 203 on monitor 204 to a user **when printing is performed**. In FIG. 11, print preview is disabled. Within a print progress window 250 (print progress window 250 is a user interface dialog box), a print preview area 251 represents the physical page that will be printed out by printer 205. Print progress window is a user interface dialog box. Within preview area 251 is shown a shaded area which represents the printable area on a page. An icon 253 and text 252 indicate that printing is occurring. A user can cancel printing by selecting "Cancel" button 254.³ [emphasis added]

Hence, Figures 11-15 are displays available to the user to when printing is performed. Thus, Figure 13 cited in the Office Action as an example of the claimed printing information dialogue box is a display occurring **after activation of the print job**, not prior to activation of the print job. Indeed, the print job has been activated and is being processed when the user interface windows in Figure 13 are shown. Indeed, while a user in the embodiment of Figure 13 of

¹ Office Action, page 2, lines 15-18.

Chiarabini et al can cancel printing by selecting the "Cancel" button 254, it is respectfully submitted that the cancellation merely stops on-going and subsequent print jobs.

With Chiarabini et al teaching control of print jobs *after print job activation*, independent Claim 1 distinguishes from Chiarabini et al in that the printing information dialogue box of Claim 1 controls the print job and displays, *prior to activation* of the print job, a synopsis of the print setting including at least an indication of a paper selection.

Hence, it is respectfully submitted that independent Claim 1 and similarly presently amended independent Claims 9, 25, and 30 and the claims dependent therefrom patentably define over the applied prior art.

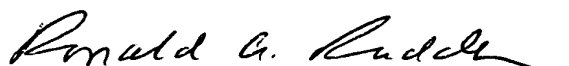
² Chiarabini et al, col. 10, lines 44-53.

³ Chiarabini et al, col. 10, line 62, to col. 11, line 3.

Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kulbaski
Attorney of Record
Registration No. 34,648
Ronald A. Rudder, Ph. D.
Registration No. 45,618

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)
JJK:RAR:clh

I:\ATTY\RAR\AMENDMENTS\52440128\AM3.DOC